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PTO/SB/21 (04-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/642,365
		Filing Date	August 14, 2003
		First Named Inventor	Michael S. H. Chu
		Art Unit	3731
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	MIY-P03-024

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. IDS Form SB/08 (7 pages) 2. References A1-A188, B1-B28 and C1-C41 3. Copy of the International Search Report (11 page) 4. Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement (3 pages)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	ROPS & GRAY LLP Weishi Li - 53,217
Signature	
Date	November 18, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 11-18-04Signature: Maura A. Gallagher (Maura A. Gallagher)

O I P E
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P A T E N T & T R A D E M A R K O F F I C E
S C I O S

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Dated: 11-18-04 Signature: Maura A. Gallagher
(Maura A. Gallagher)

Docket No.: MIY-P03-024
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Chu et al.

Application No.: 10/642,365

Confirmation No.: 1647

Filed: August 14, 2003

Art Unit: 3731

For: SYSTEMS, METHODS AND DEVICES
RELATING TO DELIVERY OF MEDICAL
IMPLANTS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of the non US references listed on the PTO/SB/08 is attached. A summary/abstract translation of the non-English language references is enclosed where applicable.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Applicants call the Examiner's attention to office actions which may have issued in the following co-pending, co-owned patent applications of which subject matters are related to that of the instant application:

U.S. Patent Application Serial Number	Filing Date
10/093,371	March 7, 2002
10/093,398	March 7, 2002
10/093,424	March 7, 2002
10/093,450	March 7, 2002
10/093,498	March 7, 2002
10/094,354	March 7, 2002
10/642,395	August 14, 2003
10/642,397	August 14, 2003
10/641,487	August 14, 2003

Applicants have become aware of the following documents: U.S. Patent No. 6,312,448; U.S. Patent No. 5,904,692; WO 00/74594; EP 1159920; and U.S. Patent No. 5,899,909, cited in

an International Search Report issued August 20, 2004, during the prosecution of international application no. PCT/US03/25568, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(c) and (e)(1) or (b)(3), hereby submits these documents for the Examiner's consideration. These documents are cited on the enclosed PTO Form SB/08, and a copy of the International Search Report and each document cited thereon are enclosed as well.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicant(s) understand(s) the Examiner will make an independent evaluation of the cited documents.

The undersigned hereby certifies that each item contained in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. MIY-P03-024.

Dated: November 18, 2004

Respectfully submitted,

By 
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Substitute for form 1449A/B/PTO				Complete If Known	
				Application Number	10/642,365
				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	7	Attorney Docket Number	MIY-P03-024

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)	MM-DD-YYYY		
A1	D466213 S		11/26/02	Snitkin et al.	
A2	2,738,790		3/20/56	Todt Sr., et al.	
A3	2,751,903		6/26/56	Ivory et al.	
A4	2,917,878		12/22/59	Edwin et al.	
A5	3,472,232		10/14/69	Earl et al.	
A6	3,565,073		2/23/71	Giesy	
A7	3,699,969		10/24/72	Allen	
A8	3,704,712		11/28/72	Giesy et al.	
A9	3,710,795		1/16/73	Higuchi et al.	
A10	3,763,860		10/9/73	Clarke	
A11	3,875,937		4/8/75	Schmitt et al.	
A12	3,877,434		4/15/75	Ferguson et al.	
A13	3,937,223		2/10/76	Roth	
A14	3,995,619		12/7/76	Glatzer	
A15	4,172,458		10/30/79	Pereyra	
A16	4,363,319		12/14/82	Altshuler	
A17	4,367,816		1/11/83	Wilkes	
A18	4,422,567		12/27/83	Haynes	
A19	4,445,898		5/1/84	Jensen	
A20	4,535,768		8/20/85	Hourahane et al.	
A21	4,592,339		6/3/86	Kuzmak et al.	
A22	4,606,335		8/19/86	Wedeen	
A23	4,739,751		4/26/88	Sapega et al.	
A24	4,741,330		5/3/88	Hayhurst	
A25	4,744,353		5/17/88	McFarland	
A26	4,776,337		10/11/88	Palmaz	
A27	4,784,137		11/15/88	Kulik et al.	
A28	4,784,138		11/15/88	Sinnett	
A29	4,798,193		1/17/89	Giesy et al.	
A30	4,824,435		4/25/89	Giesy et al.	
A31	4,872,451		10/10/89	Moore et al.	
A32	4,873,977		10/17/89	Avant et al.	
A33	4,874,375		10/17/89	Ellison	
A34	4,896,668		1/30/90	Popoff et al.	
A35	4,920,958		5/1/90	Walt et al.	
A36	4,927,420		5/22/90	Newkirk et al.	
A37	4,938,760		7/3/90	Burton et al.	
A38	4,946,468		8/7/90	Li	
A39	4,983,168		1/8/91	Moorehead	
A40	4,988,339		1/29/91	Vadher	
A41	5,002,550		3/26/91	Li	
A42	5,013,292		5/7/91	Lemay	
A43	5,064,435		11/12/91	Porter	
A44	5,078,730		1/7/92	Li	
A45	5,084,058		1/28/92	Li	
A46	5,085,661		2/4/94	Moss	

Examiner Signature	Date Considered
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Substitute for form 1449A/B/PTO				<i>Complete If Known</i>	
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				Art Unit	N/A
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Sheet	2	of	7	Attorney Docket Number	
				MIY-P03-024	

A47	5,087,263	2/11/92	Li	
A48	5,089,013	2/18/92	Bezwada et al.	
A49	5,112,344	5/12/92	Petros	
A50	5,133,723	7/28/92	Li et al.	
A51	5,149,329	9/22/92	Richardson	
A52	5,152,749	10/6/92	Giesy et al.	
A53	5,163,946	11/17/92	Li	
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A55	5,188,636	2/23/93	Fedotov	
A56	5,203,784	4/20/93	Ross et al.	
A57	5,207,679	5/4/93	Li	
A58	5,222,508	6/29/93	Contarini	
A59	5,234,457	8/10/93	Andersen	
A60	5,250,033	10/5/93	Evans	
A61	5,256,133	10/26/93	Spitz	
A62	5,279,311	1/18/94	Snyder	
A63	5,281,237	1/25/94	Gimpelson	
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A65	5,334,185	8/2/94	Giesy et al.	
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A67	5,354,292	10/11/94	Braeuer et al.	
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A70	5,417,226	5/23/95	Juma	
A71	5,431,173	7/11/95	Chin et al.	
A72	5,439,467	8/8/95	Benderev et al.	
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A74	5,474,543	12/12/95	McKay	
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A87	5,647,857	7/25/97	Anderson et al.	
A88	5,683,418	11/4/97	Luscombe et al.	
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A90	5,697,931	12/16/97	Thompson	
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A92	5,700,286	12/23/97	Tartaglia et al.	
A93	5,702,215	11/30/97	Li	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	3	of	7	Attorney Docket Number	MIY-P03-024

A97	5,776,184	7/7/98	Tuch	
A98	5,813,408	9/29/98	Benderev et al.	
A99	5,816,258	10/6/98	Jervis	
A100	5,824,049	10/20/98	Ragheb et al.	
A101	5,836,314	11/17/98	Benderev et al.	
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A103	5,840,011	11/24/98	Landgrebe et al.	
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A112	6,042,534	3/28/00	Gellman et al.	
A113	6,042,583	3/28/00	Thompson et al.	
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Examiner Signature	Date Considered
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				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	4	of	7	Attorney Docket Number	MIY-P03-024

A147	6,648,921	11/18/03	Anderson et al.	
A148	6,652,450	11/25/03	Neisz et al.	
A149	6,685,629	2/3/04	Therin	
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A156	2002/0055748	5/9/02	Gellman et al.	
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A163	2002/0099258	7/25/02	Staskin et al.	
A164	2002/0099259	7/25/02	Anderson et al.	
A165	2002/0099260	7/25/02	Suslian et al.	
A166	2002/0107430	8/8/02	Neisz et al.	
A167	2002/0116025	8/22/02	Haab	
A168	2002/0128670	9/12/02	Ulmsten et al.	
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A173	2002/0161382	10/31/02	Neisz et al.	
A174	2002/0165566	11/7/02	Ulmsten	
A175	2002/0188169	12/12/02	Kammerer et al.	
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A178	2003/0010929	1/16/03	Priewe et al.	
A179	2003/0023138	1/30/03	Luscombe	
A180	2003/0036676	2/20/03	Scetbon	
A181	2003/0045774	3/6/03	Staskin et al.	
A182	2003/0045892	3/6/03	Kaladellos	
A183	2003/0050530	3/13/03	Neisz et al.	
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A187	2003/0191480	10/9/03	Ulmsten	
A188	2004/0015048	1/22/04	Neisz et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY		
	B1	DE 2,305,815 A1	8/8/74		T ⁶
	B2	DE 2,532,242 A1	2/10/77		
Examiner Signature		Date Considered			

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
Sheet	5	of	7	Application Number	10/642,365
				Filing Date	August 14, 2003
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				Attorney Docket Number	MIY-P03-024

B3	DE 43 34 419 A1	4/13/95	Univ. Ludwigs Albert	
B4	EP 0 417 189 B1	10/15/97	Boston Scientific Ireland Limited	
B5	EP 0 506 920 B1	4/9/97	Salama	
B6	EP 0 628 288 B1	4/5/00	Vidamed, Inc.	
B7	EP 0 831 751 B1	11/6/02	Bogojavlensky et al.	
B8	EP 1 159 920 A2	12/5/01	United States Surgical Corp.	
B9	EP 1 321 111 A2	6/25/03	Conticare, Inc.	
B10	EP 0 140 557 A3	5/8/85	Blackwood	
B11	EP 0,437,063 A2	7/17/91	Vance Products	
B12	EP 0,437,063 A3	7/17/91	Vance Products	
B13	EP 0 599 772 A1	6/1/94	Technion Research and Development Foundation Ltd.	
B14	FR 1,539,593	9/13/68	Johnson	
B15	FR 2,739,016	3/28/97	Comte Georges	
B16	GB 2,268,690	1/19/94	Lopez	
B17	SE 503 271	3/1/96	Medscand AB	
B18	SE 506 164	4/10/97	Medscand Medical AB	
B19	SU 1,225,547	4/23/86	N.V. Sklifosovskii Moscow Scientific Research Institute of First Aid	
B20	SU 1,443,873 A1	7/26/89	Kiev State Institute for Further Education of Physicians	
B21	WO 00/74594	12/14/00	Ethicon, Inc.	
B22	WO 93/10715	6/10/93	Vesitec Medical Inc.	
B23	WO 93/19678	10/14/93	Vesitec Medical Inc.	
B24	WO 96/01597	1/25/96	Dacomed Corporation	
B25	WO 96/34587	11/7/96	Uramed Corporation	
B26	WO 96/39227	12/12/96	Urology Inc.	
B27	WO 97/13465	4/17/97	Medscand Medical	
B28	WO 98/12971	4/2/98	Medworks Corporation	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	6	of	7	Attorney Docket Number	MIY-P03-024

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	C1	Bayer et al., "A New Approach To Primary Strengthening Of Colostomy With Marlex Mesh To Prevent Paracolostomy Hernia," <i>Surgery, Gynecology & Obstetrics</i> , 163:579-580, (1986).			T ²
	C2	Benderev, "A New Endoscopic Bladder Neck Suspension For The Outpatient Treatment Of Stress Urinary Incontinence," <i>J. Urology</i> , 149:197a (1993).			
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	C4	Benderev, Theodore, "A Modified Percutaneous Outpatient Bladder Neck Suspension System," <i>J. Urology</i> , 152:2316-2320 (1994).			
	C5	Delorme, "La Bandelette Trans-Obturatrice: Un Procede Mini-Invasif Pour Traiter l'incontinence Urinaire D'effort De La Femme," <i>Progres En Urologie</i> , 11:1306-1313, (2001) (English Translation Provided).			
	C6	Giesy et al., "Ureteral Instrumentation: A New System For Continued Access Via a Safety Guidewire," <i>J. Urology</i> , No. 4, Part 2, P.282a (1988).			
	C7	Gittes et al., "No-Incision Pubovaginal Suspension For Stress Incontinence," <i>J. Urology</i> , 138:3, 568-570 (1987).			
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	C9	Jacquetin, "Utilisation Du Tvt Dans La Chirurgie De l'incontinence Urinaire Feminine," <i>J. Gynecol Obstet Biol Reprod.</i> , 29, 242-247 (2000).			
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	C12	Mattox et al., "Modification Of The Miya Hook In Vaginal Colpopexy," <i>J. Reproductive Medicine</i> , 40:681-683 (Oct. 1995).			
	C13	Mitchell, "Hook Needle And Retractor For Posterior Urethroplasty," <i>J. Urology</i> , 42:599-600 (1970).			
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	C15	Norris et al., "Use Of Synthetic Material in Sling Surgery: A Minimally Invasive Approach," <i>J. Endourology</i> , 10:3, 227-230 (1996).			
	C16	Pereyra, "A Simplified Procedure for the Correction of Stress Incontinence in Women," <i>West J. Surg. Obstetrics and Gynecology</i> , 223-226 (1959).			
	C17	Petros et al., "Urethral Pressure Increase on Effort Originates From Within The Urethra, and Continence From Musculovaginal Closure," <i>Neurology and Urodynamics</i> , 14:4, 337-350 (1995).			
	C18	Petros, "Ambulatory Surgery For Urinary Incontinence And Vaginal Prolapse," <i>Medical Journal Of Australia</i> , 161:171-172 (1994).			
	C19	Petros, "Medium-Term Follow-Up Of The Intravaginal Slingplasty Operation Indicates Minimal Deterioration of Urinary Continence With Time," <i>Aust Nz J Obstet Gynaecol.</i> , 39:3, 354-356 (1999).			
	C20	Petros, et al., "An Integral Theory and its Method For The Diagnosis and Management of Female Urinary Incontinence," <i>Scandinavian J. Urology And Nephrology</i> , Supplement 153, 1-93 (1993).			

Examiner Signature	Date Considered
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO				<i>Complete if Known</i>	
				Application Number	10/642,365
				Filing Date	August 14, 2003
				First Named Inventor	Michael S. H. Chu
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	7	of	7	Attorney Docket Number	MIY-P03-024

C21	Petros, P., "An Integral Theory of Bladder Neck Opening, Closure and Urinary Incontinence in the Female," International Journal of Gynecology & Obstetrics, XXIII World Congress of Gynecology and Obstetrics (Figo) (1991).	
C22	Petros, P., "The Intravaginal Slingpasty Operation, A Minimally Invasive Technique for Cure of Urinary Incontinence in the Female," Aust. Nz J. Obstet Gynaecol. 36:4, 453-461 (1996).	
C23	Raz et al., "Fascial Sling to Correct Male Neurogenic Sphincter Incompetence: The Mcguire/Raz Approach," J. Urology, 139:528-531 (1988).	
C24	Raz et al., "Vaginal Wall Sling," J. Urology, 141:43-46 (1989).	
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C34	Ulmsten et al., "A Multicenter Study of Tension-Free Vaginal Tape (TVT) for Surgical Treatment of Stress Urinary Incontinence," Int Urogynecol J., 9:4, 210-213, (1998).	
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C38	Ulmsten et al., "Connective Tissue Factors in the Aetiology of Female Pelvic Disorders," Ann. Med., 22:6, 3 (1990).	
C39	Ulmsten et al., "Intravaginal Slingplasty," Zentralbl Bynakol., 116, 398-404 (1994).	
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